AO 91 (Rev. 11/11) Criminal Complaint (approved by AUSA Katherine Driscoll) C&W 17-022

UNITED STATES DISTRICT COURT

for the

Eastern District of Pennsylvania

United States of America
v.
Robert Holmes,
Montanez Adams,
a/k/a "Martez Adams",
a/k/a "Montez Adams"

Defendant(s)

Case No. 17-388

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 7, 2017 in the county of Philadelphia in the Eastern District of Pennsylvania, the defendant(s) violated:

Code Section	*Offense Description*
18 U.S.C. Sec. 1951(a)	Robbery which interferes with interstate commerce.
18 U.S.C. Sec. 924(c)(1)(A)	Possession of a firearm in furtherance of a crime of violence.
18 U.S.C. Sec. 2	Aiding and abetting.

This criminal complaint is based on these facts:

On or about January 7, 2017, Robert Holmes and Montanez Adams were involved in an armed robbery of a GameStop, a business engaged in interstate commerce, located at 4600 Roosevelt Boulevard, Philadelphia, Pennsylvania, in violation of Title 18, United States Code, Section 1951(a) (robbery which interferes with interstate commerce), Title 18, United States Code, Section 924(c)(1)(A) (using, carrying and brandishing a firearm during a crime of violence), and Title 18, United States Code, Section 2 (aiding and abetting).

❒ Continued on the attached sheet.

Complainant's signature

Kathryn Singer, ATF Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 03/13/2017

Judge's signature

City and state: Philadelphia, PA

Hon. Marilyn Heffley, Magistrate Judge

Printed name and title

M-17-388

AFFIDAVIT IN SUPPORT OF ARREST WARRANT

I, Kathryn Singer, being duly sworn, do hereby state as follows:

AFFIANT'S BACKGROUND

1. My name is Kathryn Singer. I am a Special Agent with the United States Department of Justice's Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF"). I have been so employed since September 2013. Prior to my employment with ATF, I was a police officer in Park Forest, IL, from 2010 until 2013. I earned a Bachelor of Science degree in Accounting from Calvin College in Grand Rapids, MI, and I am a graduate of the Federal Law Enforcement Training Center and the ATF National Academy, both of which are in Glynco, Georgia.

2. As a Special Agent with the ATF, I am vested with the authority to investigate violations of federal laws, including Titles 18 and 26 of the United States Code.

3. My current duties include, among other things, the investigation of Hobbs Act robberies, in violation of 18 United States Code section 1951(a), the brandishing of a firearm in a crime of violence, in violation of 18 United States Code section 924(c), and aiding and abetting, in violation of 18 United States Code section 2.

PURPOSE OF AFFIDAVIT

4. This affidavit is in support of a Complaint charging Robert HOLMES and MONTANEZ ADAMS, a/k/a "Martez Adams", a/k/a "Montez Adams" with Hobbs Act robbery, in violation of 18 United States Code section 1951(a), using, carrying and

brandishing a firearm in a crime of violence, in violation of 18 United States Code section 924(c), and aiding and abetting, in violation of 18 United States Code section 2.

5. I am familiar with the information contained in this affidavit, through my own investigation and/or from my discussions with other law enforcement officers who have participated in this investigation. Since this affidavit is being submitted for the limited purpose of securing an arrest warrant, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to charge the offenses described above.

FACTS ESTABLISHING PROBABLE CAUSE

6. On or about January 7, 2017, the GameStop located at 4600 Roosevelt Boulevard, in northeast Philadelphia, Pennsylvania was robbed at gunpoint.

7. Video surveillance recovered from the GameStop captured two black males wearing ski masks entering the store, each brandishing a gun, and demanding money. The two victim employees placed the cash from the registers, along with a tracking device, into a white "GameStop" plastic bag. The two black males took the bag money and ran out of the store. A victim employee saw the offenders enter a light-colored vehicle.

8. The victim employees called 911. They stated that they were robbed at gunpoint and that they placed a tracking device in the bag of cash taken by the offenders. They also stated that the offenders entered a light-colored vehicle after they robbed the GameStop and fled the scene.

9. Philadelphia Police Department ("PPD") officers received information from the tracking device that it was located at Foulkrod and Leiper Streets in Philadelphia. Officers spotted a light-colored SUV, similar to the getaway vehicle described by the victim employees, being driven near 1300 Foulkord Street. The officers stopped the vehicle and told the occupants to show their hands.

10. As officers approached the vehicle, they observed the Uber driver and another white male, later identified as Robert HOLMES, and two black males in the rear seats, later identified as Montanez ADAMS and William I. MORRIS. Officers immediately noticed a silver gun on the back seat of the vehicle and ordered all occupants to exit the vehicle.

11. The following items were recovered by PPD from the vehicle and its occupants:

a. Two black ski masks;

b. One black Phoenix Arms, model HP25A, .25 caliber handgun (serial number obliterated) containing three (3) live rounds;

c. One silver with black handle "Repeatair" pellet gun;

d. One plastic "GameStop" bag containing $3,518 USC and a money tracking device.

12. The victim employees were taken by PPD to 1300 Foulkrod Street and positively identified ADAMS and MORRIS as the robbers based on their clothing and stature.

13. PPD learned through investigation that the driver of the vehicle was an Uber driver. In an interview with PPD, the Uber driver stated at approximately 8 p.m., he received a request to drive a customer from 4727 Tackawana Street to 530 E. Godfrey Street. When the Uber driver arrived at 4727 Tackawana Street and identified himself as an Uber driver, MORRIS and ADAMS entered the rear of the vehicle and a white male, HOLMES, entered the front passenger side of the vehicle. HOLMES directed the Uber to drive to the area of Foulkrod and Howland Streets, near the location of the GameStop. HOLMES told the Uber driver to park and wait at this intersection. The Uber driver stated that MORRIS and ADAMS exited the car and did not return for approximately twenty (20) minutes.

14. During this time, HOLMES sent text messages to ADAMS to hurry up and he received text messages from ADAMS to try to stall the Uber driver.

15. After his arrest, HOLMES gave a false statement to police that he had no knowledge of, or involvement in, the robbery.

16. A subsequent review of GameStop's business inventory determined that approximately $3,518 USC was stolen.

17. GameStop is a video game and consumer electronics retailer that operates in interstate commerce. GameStop's headquarters is located in Texas, with approximately 218 other consumer stores throughout the United States. GameStop receives, ships, sells and purchases their products both inside and outside the state of Pennsylvania.

CONCLUSION

Based on the above information, and my experience and training as an ATF special agent, I believe that there is probable cause to charge Montanez ADAMS and Robert HOLMES with Hobbs Act robbery, in violation of 18 United States Code section 1951(a), the use of a firearm in a crime of violence, in violation of 18 United States Code section 924(c), and aiding and abetting, in violation of 18 United States Code section 2.

Kathryn Singer
Special Agent, ATF

Sworn and subscribed before me
this 13th day of March, 2017

HONORABLE MARILYN HEFFLEY
United States Magistrate Judge